
TRAINING

TA301

Building and Construction Industry Training Fund and
Levy Collection Act 1990

**Building and Construction Industry Training
Fund and Levy Collection Amendment
Regulations 2018**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Building and Construction Industry Training Fund and Levy Collection Amendment Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 October 2018.

3. Regulations amended

These regulations amend the *Building and Construction Industry Training Fund and Levy Collection Regulations 1991*.

4. Regulation 3 amended

- (1) In regulation 3(1):
 - (a) after each of paragraphs (a), (b) and (c) delete “or”;
 - (b) in paragraph (d) delete “work.” and insert:

work;
 - (c) after paragraph (d) insert:

(e) resources operational work.
- (2) In regulation 3(2) insert in alphabetical order:

geosequestration process means a process that is —
 - (a) for the injection of carbon dioxide into a natural underground reservoir; and
 - (b) associated with a resources operation;

residential or commercial facility means a structure, fixture, works, plant or equipment used or intended to be used predominantly for or in connection with any of the following —

- (a) residential accommodation;
- (b) office accommodation;
- (c) a kitchen or dining facility;
- (d) a recreational facility;
- (e) a toilet or ablution facility;
- (f) a medical facility;
- (g) a laboratory;
- (h) a workshop;
- (i) a fuel depot;
- (j) a warehouse;

resources means any of the following —

- (a) minerals as defined in the *Mining Act 1978* section 8(1);
- (b) petroleum as defined in the *Petroleum and Geothermal Energy Resources Act 1967* section 5(1);
- (c) geothermal energy resources as defined in the *Petroleum and Geothermal Energy Resources Act 1967* section 5(1);

resources facility means any of the following or a part of any of the following —

- (a) a structure, fixture or works for or in connection with a resources operation;
- (b) plant or equipment in, on or associated with a structure, fixture or works referred to in paragraph (a);

resources operation means —

- (a) an operation to explore or drill for, extract, recover, process, treat or refine resources; or
- (b) an operation to handle, store or transport —
 - (i) resources; or
 - (ii) products of an operation referred to in paragraph (a);

resources operational work means any of the following work (unless the work is on, results in, or otherwise relates to, a residential or commercial facility) —

- (a) work associated with exploration or drilling for resources;
- (b) work associated with exploration or drilling for the purposes of a geosequestration process;

- (c) work on or resulting in an unsealed haul road or track that is associated with a resources operation;
 - (d) work on or resulting in a structure that is —
 - (i) for the storage, treatment, supply or disposal of non-potable water; and
 - (ii) associated with a resources operation;
 - (e) work on or resulting in a structure that is —
 - (i) for the storage of tailings, overburden or waste; and
 - (ii) associated with a resources operation;
 - (f) work for the excavation or back-filling of soil or overburden that is associated with a resources operation;
 - (g) work for the environmental remediation, restoration or rehabilitation of ground disturbed by a resources operation;
 - (h) work for the closure or decommissioning of 1 or more resources facilities (including work associated with environmental remediation, restoration or rehabilitation);
 - (i) work for the repair or maintenance of 1 or more resources facilities;
 - (j) work for any of the following if the value in aggregate of the work, estimated in accordance with subregulation (3), is \$10 million or less —
 - (i) the alteration or renovation of 1 or more resources facilities;
 - (ii) the replacement of 1 or more resources facilities that have been, are being or are to be closed or decommissioned;
 - (iii) the relocation of 1 or more resources facilities;
 - (iv) any combination of the activities referred to in subparagraphs (i) to (iii).
- (3) In regulation 3(2) in the definition of **government work** paragraph (b)(ii) delete “authority.” and insert:
- authority;
- (4) After regulation 3(2) insert:
- (3) Schedule 2 of the Act applies for the purposes of estimating the value of work referred to in

paragraph (j) of the definition of *resources operational work* in subregulation (2) as if references to construction work were references to that work.

5. Regulation 3AA deleted

Delete regulation 3AA.

M. INGLIS, Clerk of the Executive Council.
